



# NEWS RELEASE

U.S. ARMY CORPS OF ENGINEERS

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For Immediate Release:  
July 6, 2010  
Release No. MA 2010-071

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## Corps proposes reissuing statewide Maine general permit for minimal impact activities within U.S. waters in Maine

**CONCORD, Mass.** – The U.S. Army Corps of Engineers, New England District is proposing to reissue the statewide Maine General Permit, formerly the Maine Programmatic General Permit, for minimal impact activities within waters of the United States in the state of Maine.

The existing Programmatic General Permit (PGP) will expire on Oct. 11, 2010 and the Corps is proposing to reissue the Maine General Permit (GP) for another five years no later than this date. The reissued GP would continue the expedited review process for activities in Corps of Engineers jurisdiction under Section 404 of the Clean Water Act and Section 10 of the Rivers and Harbors Act of 1899. A public notice, available on the Corps website, is being issued in accordance with 33 CFR 325.3(b) to coordinate reissuance of the GP with Federal resource agencies, state agencies and the public.

General Permits are encouraged under the President's plan as a way to streamline state and Federal regulatory programs. The New England District has already had success with streamlining these programs with the use of PGPs throughout New England. A PGP has been in place in Maine since 1993. The current PGP is located at [www.nae.usace.army.mil/reg](http://www.nae.usace.army.mil/reg) under "State Programmatic Permits." The proposed GP is under "Public Notices" and titled "Draft ME GP (2010)." Those who would like a copy of the proposed Maine GP can also contact Greg Penta at 978-318-8862 or [gregory.r.penta@usace.army.mil](mailto:gregory.r.penta@usace.army.mil)

Successful use of the more flexible GP process in place of the Nationwide Permits (NWP) provides benefits to the public, including simplifying the process and expediting decisions while maintaining environmental protection. This GP will authorize activities formerly covered under the NWP program and currently covered under the existing Maine PGP. The New England District suspended all NWPs in the six New England states on July 31, 2007.

Projects with minimal individual and cumulative effects on the aquatic environment will be approved administratively under this GP. All GP authorizations will be subject to the applicability requirements, procedures, and conditions contained in the GP documentation. Project eligibility under this GP will fall into two categories: Category 1 (notification form required) and Category 2 (application required).

The Corps will coordinate Category 2 activities with state and Federal resource agencies (U.S. Fish and Wildlife Service, U.S. Environmental Protection Agency, and National Marine Fisheries Service) as required and determine if the individual and cumulative adverse environmental impacts are minimal and whether a project may proceed under GP authorization.

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## **Corps proposes reissuing Maine GP/2-2-2-2-2**

Projects that do not meet the terms and conditions of the GP will be subjected to Individual Permit review as detailed in 33 CFR 325. The GP reissuance does not alter the Individual Permit review procedures, but does provide some Individual Permit procedures and thresholds. The reissuance also does not alter the Federal exemptions, which are not necessarily the same as the state's exemptions. In addition, each authorization issued under the GP is not valid until all other required Federal and state permits and/or certifications are obtained.

The proposed GP does not affect activities authorized under the existing PGP that have commenced work prior to the re-issuance. Activities which have commenced (i.e. are under construction or are under contract to commence) prior to the re-issuance date of this GP, in reliance upon the terms and conditions of the category under which it was authorized, shall remain authorized provided the activity is completed by the project-specific date that the Corps provides to the permittee in the GP authorization letter.

The proposed Maine GP is available for review at [www.nae.usace.army.mil/reg](http://www.nae.usace.army.mil/reg) under "Public Notices" and titled "Draft ME GP (2010)."

To assist in properly evaluating this proposal to reissue the Maine GP, the Corps of Engineers is seeking public comments. Written statements referencing this notice (file # NAE 2010-00322) should be forwarded to this office no later than Aug. 5, 2010. The address is the U.S. Army Corps of Engineers, New England District, Regulatory Division (ATTN: Greg Penta), 696 Virginia Road, Concord, MA 01742-2751. Additional information is available from Permit Project Manager Greg Penta at 978-318-8862, or toll free at 800-362-4367 (if calling from within Massachusetts), or 800-343-4789 (if calling from outside of Massachusetts) or email: [gregory.r.penta@usace.army.mil](mailto:gregory.r.penta@usace.army.mil)

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